

REMARKS

Obviousness-type Double Patenting Issue

The amendments to the claims render the rejection over US '277 moot.

Note the definition, e.g., of R^1 in each of the previously pending claims and also in new claims 26 and 27, which R^1 groups are not obvious in view of the R^1 groups of US '277.

The Office Action also alleges that all species disclosed in the instant specification are encompassed by the claims of US '277. None of the species recited in claim 16 is within the scope of the claims of US '277. Note in this regard that each of these compounds has only an oxo, i.e., =O, substituent on the ring corresponding to group T in formula I. Compare this to the definition of T in the broadest claim of US '277 where each of such T groups are required to be "monosubstituted or disubstituted by =S, =NR², =NOR², =NCOR²=NCOOR², =NOCOR², =N-CN or =N-NO₂." None of the claimed species contains such a substituent.

New claims 28 and 29 require an oxo substituent on group T, and thus, are not obvious from the claims of US '277.

The Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,

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